R E M A R K S

Reconsideration of this application is respectfully requested.

According to the present invention as recited in independent claims 1, 26 and 28, an image-pickup apparatus, a method and a program are provided whereby a condition-selecting instruction and a medium-selecting instruction are received, image data is obtained, and one of a plurality of conditions is selected in accordance with the condition-selecting instruction. In addition, as recited in independent claims 1, 26 and 28, in accordance with the medium-selecting instruction, one of a plurality of recording mediums is selected for recording image data which meets the selected condition, and information indicative of a relationship between the selected condition and the selected recording medium is stored. Still further, as recited in independent claims 1, 26 and 28, the image data which meets the selected condition is recorded in one of the plurality of recording mediums based on the stored information.

According to the present invention as recited in independent claims 14, 27 and 29, moreover, an image recording apparatus, a method and a program are provided whereby image data is stored in a first recording medium, a condition-selecting instruction and a medium-selecting instruction are received from a user, and one of a plurality of conditions is selected in accordance with the

condition-selection instruction. In addition, as recited in independent claims 14, 27 and 29, in accordance with the medium-selecting instruction, one of a plurality of second recording mediums is selected for recording image data which is stored in the first recording medium and which meets the selected condition, and information indicative of a relationship between the selected condition and the selected second recording medium is stored. Still further, as recited in independent claims 14, 27 and 29, the image data which is stored in the first recording medium and which meets the selected condition is recorded in one of the second recording mediums based on the stored information.

With the structure of the present invention as recited in independent claims 1, 14 and 26-29, a one-to-one relationship between a condition and a recording medium is stored. See, for example, Figs. 2A-2C. Therefore, with the structure of the claimed present invention, images captured in different conditions are recorded in different recording mediums. That is, according to the claimed present invention, when the condition is changed, the recording medium which records the captured image corresponding to the condition is also changed.

In the Final Office Action, the Examiner has rejected claims 1, 5, 8-10, 12-15, 19-22 and 24-29 under 35 USC 102 as being anticipated by previously cited USP 6,570,614 (Kubo et

al"), and the Examiner has rejected claims 11 and 23 under 35 USC 103 as being obvious over Kubo et al.

However, it is again respectfully submitted that Kubo et al does not disclose or suggest the structure of the present invention as recited in independent claims 1, 26 and 28 whereby one of a plurality of conditions is selected in accordance with a condition-selecting instruction, one of a plurality of recording mediums, in accordance with a medium selecting-instruction, is selected for recording image data which meets the selected condition, information indicative of a relationship between the selected condition and the selected recording medium is stored, and image data which meets the selected condition is recorded in one of the plurality of recording mediums based on the stored information.

In addition, it is again respectfully submitted that Kubo et al does not disclose, teach or suggest the structure of the present invention as recited in independent claims 14, 27 and 29 whereby one of a plurality of conditions is selected in accordance with a condition-selected instruction, one of a plurality of second recording mediums, in accordance with a medium-selecting instruction, is selected for recording image data which is stored in the first recording medium and which meets the selected condition, information indicative of a relationship between the selected condition and the selected

second recording medium is stored, and image data which is stored in a first recording medium and which meets the selected condition is recorded in one of the plurality of second recording mediums based on the stored information.

Kubo et al merely discloses that the camera 1 thereof has three recording (photographing) modes - single-exposure mode, continuous-exposure mode and shutter chance mode - which are set by operation of the shutter mode setting switch 43. See column 5, lines 33-42. In Kubo et al, the setting condition of the recording medium specifying switch 45 is checked to determine which of the following is selected, recording onto the user's own memory card 21, recording onto the user's own memory card and memory card of another camera, and recording onto the recording medium of an external apparatus. See column 10, lines 1-7. That is, according to Kubo et al, image data generated in the recording (photographing) mode set by the shutter mode setting switch 43 is recorded based on the setting condition of the recording medium specifying switch 45. See Fig. 1. However, it is respectfully submitted that, in Kubo et al, the result of (photographing) mode selection is <u>not</u> associated with the result of (recording) medium selection, in the manner of the claimed present invention.

That is, in Kubo et al, when recording onto the memory card 21 is selected by the switch 45, captured images continue to be

recorded in the memory card 21 even if the photographing mode set by the switch 43 is changed from one mode to another (for example, from the continuous-exposure mode to the shutter chance mode). In other words, irrespective of photographing mode set by the switch 43, in Kubo et al recording of the images in a recording medium is performed based merely on the setting of the switch 45.

By contrast, according to the claimed present invention, a first image is recorded in a first recording medium when the camera is in a first mode, and when the camera is switched to a second mode, a second image taken in the second mode is automatically recorded in a second recording medium based on the stored relationship information. See Figs. 2A-2C of the present application.

On page 4 of the Final Office Action, the Examiner asserts that, in Kubo et al, "the microcomputer 16 performs photographing in shutter chance mode and records photographed images, thus interfaces information must exist" (emphasis added). Applicant respectfully disagrees.

As pointed out hereinabove, since the image data is recorded in a recording medium in Kubo et al simply based on the setting of the recording medium specifying switch 45 irrespective of the photographing mode, Kubo et al, at best, may be considered to disclose storing information regarding the recording medium that

is currently set by the recording medium specifying switch 45. That is, since irrespective of the photographing mode, recording of the images is performed in the same recording medium that is set by the switch 45, it is respectfully submitted that Kubo et al does not at all disclose or suggest storing interface information indicating a relationship between the photographing mode and a recording medium as according to the claimed present invention. It is respectfully submitted, moreover, that storing such interface information is irrelevant to the operation of the camera of Kubo et al, and contrary to the Examiner's assertion on page 2 of the Final Office Action, such photographing mode specific information does not need to be stored to record the images.

Still further, it is respectfully pointed out that according to the claimed present invention, the stored information indicating a relationship between a selected condition and a selected recording medium is changeable by means of a condition-selection operation and a medium-selection operation. And it is respectfully submitted that Kubo et al also does not disclose or suggest the changeable relationship information of the claimed present invention.

In view of the foregoing, it is respectfully submitted that the present invention as recited in each of independent claims 1, 14 and 26-29, as well as claims 5, 8-13, 15 and 19-25

respectively depending therefrom clearly patentably distinguishes over Kubo et al, under 35 USC 102 as well as under 35 USC 103.

Allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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